

Date of Hearing: April, 10, 2019

ASSEMBLY COMMITTEE ON EDUCATION
Patrick O'Donnell, Chair
AB 1119 (Eduardo Garcia) – As Amended March 28, 2019

SUBJECT: Teacher and Substitute Shortage Workgroup: small school districts

SUMMARY: Requires the Commission on Teacher Credentialing (CTC), in partnership with the California Department of Education (CDE) to establish the Teacher and Substitute Shortage Workgroup to identify steps that can be taken to improve both the substitute pool and the qualified teacher workforce in small school districts. Specifically, **this bill:**

- 1) Requires the Commission on Teacher Credentialing (CTC), in partnership with the California Department of Education (CDE) to establish the Teacher and Substitute Shortage Workgroup to identify steps that can be taken to improve both the substitute pool and the qualified teacher workforce in small school districts.
- 2) Requires the workgroup to include, at minimum, the following representatives:
 - a) Two representatives from small school districts.
 - b) Two credentialed teachers from small school districts, preferably representing two different credential types.
 - c) Two members representing counties with high numbers of substitute permits, including long-term and short-term waivers and intern permits, including at least one representative of a county office that manages the substitute pool for schools in their jurisdiction.
 - d) One school board representative from a small school district.
 - e) One school administrator from a small school district.
- 3) Requires the CTC and CDE to solicit applicants to serve on the workgroup no later than March 1, 2020, and requires the workgroup to meet, either in-person, by technology, or through a combination of both, no fewer than four times from May 1, 2020, to November 30, 2020.
- 4) Requires the workgroup to prepare recommendations and report them to the Legislature no later than March 31, 2021.
- 5) Requires, at a minimum, the workgroup to examine current laws and regulations governing the issuance of substitute permits, and to recommend changes to those policies.
- 6) Defines small school district to mean a school district with fewer than 2,501 average daily attendance.

EXISTING LAW:

- 1) Establishes the Emergency 30-Day Substitute Teaching Permit, which authorizes the holder to serve as a day-to-day substitute teacher in any classroom, including preschool, kindergarten, and grades 1-12 inclusive, or in classes organized primarily for adults. The holder may serve as a substitute for no more than 30 days for any one teacher during the school year, except in a special education classroom, where the holder may serve for no more than 20 days for any one teacher during the school year. This permit is valid for one year and is renewable. Applicants must hold a baccalaureate or higher degree from a regionally accredited college or university and pass the basic skills requirement and a fingerprint clearance. (Title 5, California Code of Regulations, Section 80025)
- 2) Authorizes holders of 30-day emergency substitute teaching permits to serve as substitutes for credentialed special education teachers for not more than 20 cumulative days for each special education teacher absent during the school year. Upon application by the district or county office, the Superintendent of Public Instruction may approve an extension of 20 schooldays. (EC 56061)
- 3) Authorizes holders of 30-day emergency substitute teaching permits to serve as a substitute in any classroom; preschool, kindergarten and grades 1-12, inclusive; or in classes organized primarily for adults. However, the holder may not serve as a substitute for more than 30 days for any one teacher during the school year. (Title 5, California Code of Regulations, Section 80025.3)
- 4) Establishes the Emergency Career Substitute Permit, which authorizes the holder to serve as a day-to-day substitute teacher in any classroom, including preschool, kindergarten, and grades 1-12 inclusive, or in classes organized primarily for adults. The holder may serve as a substitute for no more than 60 days for any one teacher during the school year, except in a special education classroom, where the holder may serve for no more than 20 days for any one teacher during the school year. The permit is valid for one year and is renewable. Requirements for Initial Issuance Individuals must submit their application packet through their employing agency. Applicants must hold a baccalaureate or higher degree from a regionally accredited college or university, pass the basic skills requirement, pass a fingerprint clearance, the employer must verify that the applicant has been employed as a substitute for at least 90 days per year in the last three consecutive years, the employer must provide a statement of endorsement and verify that the employer will make staff development activities offered to their regular teaching staff available to the permit holder. (Title 5, California Code of Regulations, Section 80025.1)
- 5) Establishes the Teaching Permit for Statutory Leave (TPSL), which allows an employing agency to fill a position where the teacher of record is unable to teach due to a statutory leave (medical or otherwise) with a temporary teacher of record for the duration of the leave. The TPSL is only available at the request of an employing agency. Holders of the TPSL are restricted to service with the employing agency requesting the permit. The TPSL may be issued with one or more authorizations in the areas of Multiple Subject, Single Subject, and Special Education, depending on an individual's qualifications. The permit is renewable upon verification from the employing agency that specific requirements have been completed. Applicants must hold a baccalaureate or higher degree from a regionally

accredited college or university, demonstrate subject matter knowledge through coursework or by exam, complete 45 hours of training through the employing agency, pass the basic skills requirement and pass a fingerprint clearance. (Title 5, California Code of Regulations, Section 80022)

- 6) Establishes the Short-Term Staff Permit (STSP), which was created in response to the phasing out of emergency permits, it allows an employing agency to fill an acute staffing need when local recruitment efforts have been made but a fully-credentialed teacher cannot be found. The STSP is only available at the request of an employing agency. Holders of the STSP are restricted to service with the employing agency requesting the permit. The STSP is available in the areas of Multiple Subject, Single Subject, and Education Specialist. Individuals who were issued four or fewer emergency permits may be issued a STSP. Individuals who were issued five emergency permits do not qualify for the STSP. Applicants must hold a baccalaureate or higher degree from a regionally accredited college or university, demonstrate subject matter knowledge through coursework or by exam, pass the basic skills requirement and pass a fingerprint clearance, and the employer must provide verification that they have completed the requirements for Short-Term Staff Permit. (Title 5, California Code of Regulations, Section 80021)

FISCAL EFFECT: Unknown

COMMENTS: This bill establishes a CTC working group to identify steps that can be taken to improve the substitute pool and the qualified teacher workforce in small school districts.

According to the Author: “Due to severe shortages of substitute teachers in my District, school administrators and counselors are sometimes pulled away from their duties to fill in the classrooms. AB 1119 would be the starting point of addressing this scarcity by exploring creative pathways for small districts to expand their pools of eligible substitute teachers.”

Background on Substitute Teachers. School districts employ substitute teachers for various reasons, including prolonged leave of absence such as bonding time with a new child, professional development for teachers, and short-term medical leave or illness. For short term periods, school districts are authorized to employ a substitute teacher with a 30-day emergency substitute teaching permit. Current law requires that in order to qualify for this permit, an applicant must have a bachelor’s degree, have successfully passed the California Basic Educational Skills Test, and have fingerprint clearance through the California Department of Justice and the Federal Bureau of Investigation. The holder of a substitute teaching permit may substitute for no more than 30 days for any one teacher per school year in a general education setting, and no more than 20 days for any one teacher per school year in a special education setting. These limitations are intended to minimize the length of time that students are taught by a substitute teacher with a short term permit, who is less-prepared or experienced when compared to a fully-credentialed teacher.

Evidence of the Problem: Among responses from a 2017 survey of Washington State principals, 95% of respondents indicated they were “in crisis” or “struggling” to find substitutes. 45% of responding principals said it was more or much more challenging to find teachers/substitutes in 2017 compared to the prior fall.

Anecdotal evidence suggests that California school districts are also facing shortages of substitute teachers. Some districts report a difficult time hiring enough substitutes to provide professional development to all teachers in a specific department on the same day because their substitute pool is too small district-wide to cover both unexpected teacher illness and planned professional development.

A 2017 Education Week article highlights the efforts of Elk Grove Unified School District to attract more substitutes.

“Districts nationwide, including Elk Grove Unified in Sacramento County, Calif., are targeting retirees and stay-at-home parents through similar tactics, newsletters, and email blasts to parents. Recent college graduates are reached through social media and visits to college job fairs. But Elk Grove, the fifth-largest district in the state, has a plan to keep substitutes from roaming to other districts. The district raised salaries and offered health benefits. A little more than a year ago, its school board voted to increase substitute pay from \$125 a day to \$135, making it more competitive with surrounding districts. Elk Grove also sent an email to parents, inviting them to think about becoming a substitute or persuading a friend or family member to apply. Shelly Clark, Elk Grove's director of human resources, said the response was overwhelming. She said the district is now able to cover teacher absences 99.4 percent of the time. ‘Before the recruiting campaign, it would not be uncommon for upwards of once a week on a Monday or Friday to not have enough sub coverage at a school,’ said Clark. Many reasons exist for the shortages, according to district officials around the country. For one, fewer college students are choosing to become teachers. Enrollment in preparation programs nationwide has dropped 35 percent in the past five years, according to a report from the Learning Policy Institute. The recovering economy has also exacerbated the problem. College graduates can find higher salaries elsewhere. Add to that the general view that teachers are overburdened with responsibilities and get little respect.”

Arguments in Support: According to the Small School Districts Association, “SSDA has long advocated for policies to lessen the impact of the teacher shortage, and we appreciate what the resources that have been provided by the state to bolster our teacher workforce pipeline. However, we may not see the real impacts of those state grants for several years, and data from the Commission on Teacher Credentialing shows that the issuance of permits continues to rise. The working group called for in AB 1119 is necessary to better understand the dynamics around the teacher shortage, and to ensure that the students in our smallest districts have access to skilled substitutes while a permanent placement is sought.”

Prior Legislation: AB 3149 (Limon) from 2018, which was held on the Senate Inactive File, would have required the CTC, through a stakeholder process, to determine whether there is a need to provide a person who holds an Emergency 30-Day Substitute Teaching Permit, who is otherwise qualified to receive a Teaching Permit for Statutory Leave, expanded pathways for meeting the requirements of the Teaching Permit for Statutory Leave, on or before July 1, 2019.

Committee Amendments: *Staff recommends* the following amendments:

- 1) Remove CDE from the measure.
- 2) Remove the deadline by which the CTC must complete the workgroup.

- 3) Streamline the members of the working group to balance the number of teachers and administrators on the working group by making the committee comprised of the following members:
- a) Four teachers, one holding a single subject credential, one holding a multiple subject credential, one holding an education specialist teaching credential, and one holding a substitute teaching permit.
 - b) One credential specialist from a small school district.
 - c) One representative of a county office of education that manages the substitute pool for schools in their jurisdiction.
 - d) One administrator from a small school district.

REGISTERED SUPPORT / OPPOSITION:

Support

Farmworker Institute Of Education & Leadership Development
Heber Elementary School District
Imagine Schools Riverside County
Office Of The Riverside County Superintendent Of Schools
Palm Springs Unified School District
School Employers Association Of California
Small School Districts Association

Opposition

None on file

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